

REMARKS

Claims 100-106 have been cancelled. Claims 49-99 and 107-109 are now pending for the Examiner's consideration. Applicants request Examiner's reconsideration of the pending claims in light of the preceding amendments and the following remarks.

Examiner's Withdrawal of the Restriction Requirement:

Applicants acknowledge the Examiner's withdrawal of the restriction requirements, as indicated on page 2 of the 12/29/2005 Office Action.

Rejections based on the Doctrine of Obviousness-Type Double Patenting:

Claims 49-59 were rejected under the judicially created doctrine of obviousness-type double patenting over claims 1-6 of U.S. Patent No. 6,716,870 B2, as indicated on page 2 of the Office Action. A Terminal Disclaimer over U.S. Patent No. 6,716,870 is submitted concurrently herewith. Applicants request that the rejection be withdrawn.

Claims 79-86 were rejected under the judicially created doctrine of obviousness-type double patenting over claims 1-6 of U.S. Patent No. 6,482,848 B2, as indicated on page 3 of the Office Action. A Terminal Disclaimer over U.S. Patent No. 6,482,848 is submitted concurrently herewith. Applicants request that the rejection be withdrawn.

Rejection based on 35 USC § 112:

Claims 100-106 were rejected under 35 USC § 112 first paragraph as not enabling one skilled in the art to make and/or use the invention, as set forth on page 4 of the Office Action. Applicants hereby cancel claims 100-106. The rejection thus should no longer apply.

Objection over Claims 96-99

Claims 96-99 were objected to but the basis of the objection was not set out in the Office Action. During a March 17, 2006 telephone discussion, the Examiner explained that the objection was based on the fact that claims 96-99 depended on rejected claims 49, 78 and 79. Claims 49, 78 and 79 were rejected based on the doctrine of obvious-type double patenting, as set forth on page 2-3 of the Office Action. Two Terminal Disclaimers are filed concurrently herewith this Response to obviate the obviousness-type double patenting rejections, as indicated in the previous paragraphs in this Response. Applicants believe claims 49, 78 and 79 are now in condition for allowance and therefore the objection to claims 96-99 should no longer apply. Applicants request that the objection be withdrawn.

Claims 107-109

Claim 107 was allowed, claim 109 was indicated as containing allowable subject matter and the disposition of claim 108 was not clear. During the March 17, 2006 telephone discussion, the Examiner indicated that method of making claims 107-109 would be allowable if the claims to the composition of matter being made in claims 107-109 were made allowable. The compositions of matter being made in claim 107-109 were claimed in claims 49, 79 and 87 respectively. Claim

87 was allowed. Claims 49 and 79 should be in condition for allowance for the reasons set forth herein. Applicants believe claims 107-109 are now in condition for allowance.

Conclusion

Claims 60-78, 87-95 and 107 were allowed in the Office Action. In light of the preceding remarks of this Response, Applicants believe that all claims pending are now in condition for allowance. Applicants request that a Notice of Allowance be issued timely. If the above remarks are not to the satisfaction of the Examiner, Applicants invite the Examiner to contact the undersigned.

If any fees other than those provided herein are due in connection to this response, please charge such fees to Deposit Account No. 500329.

Respectfully submitted,



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Date: March 21, 2006

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